

REMARKS

Reconsideration of the pending application is respectfully requested in view of the foregoing amendments and the following remarks.

Status of the Application

Claims 1-11, 13 and 15-37 are currently pending. No amendments are presented in this response.

Summary of the Office Action

The Office Action has entered an election of species requirement alleging that the claims are directed to more than one species of the generic invention, and that such species lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1. PCT Rule 13.2 is also mentioned in the Office Action, as the requirement of a technical interrelationship is considered to be met in a Markush group scenario when the claimed alternatives are of a similar nature.

When the Markush group is for alternatives of chemical compounds, they shall be regarded as being of a similar nature when the following criteria are fulfilled:

(A) All alternatives have a common property or activity; and

(B)(1) A common structure is present, i.e., a significant structural element is shared by all of the alternatives; or

(B)(2) In cases where the common structure cannot be the unifying criteria, all alternatives belong to a recognized class of chemical compounds in the art to which the invention pertains.

See Office Action, page 6 (citing MPEP 1850-III).

Discussion

Applicants respectfully traverse the election of species requirement for the following reasons.

The Office Action alleges that the claimed compounds do not relate to a single general inventive concept because the group A in each species has a different

terminal/capping unit and the compounds required for positive-working printing plates are different than those required for negative-working printing plates. (criteria A mentioned above is not fulfilled). *See Office Action, pages 6-7.*

The application indicates that the claimed polymers are useful in improving properties in both positive- and negative-working printing plate precursors. Accordingly, Applicants submit that criterion (A) is not met, as all the claimed species (i.e., alternatives) have a common property or activity. Withdrawal of the election requirement on this basis alone is thus respectfully solicited.

Moreover, Applicants submit that criterion (B)(2) also is not met, as a common structure is present, i.e., imides or thioimides. Withdrawal of the election requirement on this basis alone is also respectfully solicited.

To the extent the election requirement is made final, Applicants elect species E1-p. Claims 1, 7-11, 13, 19, 24 and 35-37 are generic relative to this species.

Conclusion

As Applicants believe the application is in proper condition for allowance, the examiner is respectfully requested to pass the application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is invited to call the undersigned attorney.

Respectfully submitted,

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